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UNITED HEALTHCARE INSURANCE COMPANY  
and UNITED BEHAVIORAL HEALTH

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

LD, DB, BW, RH, and CJ, on behalf of  
themselves and all others similarly situated,

Plaintiffs,

v.

UNITED HEALTHCARE INSURANCE  
COMPANY, a Connecticut Corporation,  
UNITED BEHAVIORAL HEALTH, a  
California Corporation, and MULTIPLAN,  
INC., a New York Corporation,

Defendants.

Case No. 4:20-cv-02254-YGR-JCS

**DECLARATION OF JOLENE BRADLEY IN  
SUPPORT OF UNITED DEFENDANTS'  
JOINT LETTER SUBMISSION  
REGARDING DISCOVERY DISPUTE**

1 I, Jolene Bradley, state and declare as follows:

2 1. I make this declaration in connection with the above-captioned litigation and  
3 Defendants United Healthcare Insurance Company's ("UHC") and United Behavioral Health's  
4 ("UBH") portion of a Joint Letter Brief Seeking Discovery Relief. I have personal knowledge of the  
5 facts set forth in this Declaration, and, if called as a witness, could and would testify competently to  
6 such facts under oath.

7 2. I am employed as Associate Director of Out-of-Network Programs at  
8 UnitedHealthcare. In this role, I am familiar with the matters and documents discussed herein.

9 3. In my capacity as Associate Director of Out-of-Network Programs, I have occasion to  
10 communicate with, and seek legal advice from, in-house counsel, including Courtney Lucas, Ellyn  
11 Fuchsteiner, Jessica Zuba, Scott Rees, Dixie Wilhite, and Susan Tully Abdo (among others)  
12 regarding responses and approaches to handling disputes with providers, plan members, plan  
13 sponsors, and government agencies and regulators. Among other things, I work with certain of these  
14 attorneys to provide input in connection with changes to company-wide policies and procedures  
15 relating to out-of-network programs. I am also sometimes asked to provide information to in-house  
16 counsel about how a claim is evaluated using an out of network program in connection with a  
17 pending claim or dispute.

18 4. For example, in UHC000013633 and UHC000013642, UHC in-house counsel Ellyn  
19 Fuchsteiner emailed my team in connection with an inquiry she had received from Voya, a plan  
20 sponsor, about the reimbursement afforded to a plan member in connection with treatment by an out-  
21 of-network provider. Given the context of this communication and the practice I outlined above, it is  
22 my understanding that Ellyn was asking for my input so that she could render legal advice about how  
23 to handle the communications with this plan sponsor.

24 5. In UHC000013785, I was asked to provide certain data at the request of UHC in-house  
25 counsel Courtney Lucas and Jessica Zuba in connection with a lawsuit that was pending at the time  
26 involving Progenity, a provider of out-of-network services. I understood from that request that they  
27 were seeking my input to render legal advice in connection with that ongoing litigation.

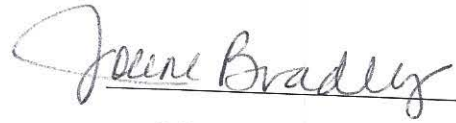
1           6.       In UHC000015072, I was asked by UHC in-house counsel Scott Rees to provide input  
2 in connection with legal advice that had been requested of Scott Rees by members of our Out-of-  
3 Network Programs team relating to certain potential modifications to generic plan language to be  
4 used in certain summary plan descriptions or SPDs. I understood from that request that Scott was  
5 seeking my input in order to render legal advice concerning the proposed plan language  
6 modifications, which would be a company-wide, programmatic change.

7           7.       In UHC000015276, I sought legal advice from United Health Group in-house counsel  
8 Dixie Wilhite. Specifically, I was seeking her opinion as to the legal implications that might follow if  
9 certain data fields had been accessed in connection with what we believed at the time to have been a  
10 data breach. Ms. Wilhite then provided an opinion in response to my request.

11          8.       UHC000016128 and UHC000016133 were generated in response to a request from  
12 UnitedHealth Group employees about the preparation of a response to a list of concerns and issues  
13 raised by a plan sponsor, the Healthcare Association of New York (“HANYs”). During the course of  
14 the discussion, we were advised that certain issues HANYs had raised were legal in nature and  
15 should be routed to a legal point of contact for further analysis. My manager, Vice President for Out  
16 of Network Payment Strategy at UnitedHealth Group, Becky Paradise, also weighed in at one point  
17 on the e-mail chain and noted that in-house counsel Athena Tsakanikas had recently reviewed certain  
18 documents relating to the issue HANYs raised and provided her legal opinion on whether those  
19 documents supported the response that was contemplated to HANYs. I was not directly involved in  
20 these discussions but was copied on the communications and am familiar with the context in which  
21 these communications were being made.

22          9.       In UHC000013597, I circulated a WebEx meeting invitation to members of my team  
23 in which I forwarded certain notes I had received from Marjorie Wilde, in-house counsel at  
24 MultiPlan. Marjorie had asked that I circulate to the team advice regarding the treatment of  
25 MultiPlan documents that implicate confidential and proprietary information, so that we could align  
26 on the proper methods of protecting such information in the event of litigation involving the United  
27 Defendants and/or MultiPlan.

1           10. I declare under penalty of perjury under the laws of the United States and the state of  
2 California that the foregoing is true and correct and that this declaration was executed on June 15,  
3 2022 in Denmark, Wisconsin.  
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7 Jolene Bradley  
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